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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/559,714

03/21/2007

Allan J. Block

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43935

7590

04/09/2008

FRASER CLEMENS MARTIN & MILLER LLC  
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EXAMINER

KANG, PAUL H

ART UNIT

PAPER NUMBER

2144

NOTIFICATION DATE

DELIVERY MODE

04/09/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

miller@fraser-ip.com  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/559,714	<b>Applicant(s)</b> BLOCK, ALLAN J.	
	<b>Examiner</b> Paul H. Kang	<b>Art Unit</b> 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/31/06; 3/6/06</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-17 are rejected under 35 U.S.C. 102(a) as being anticipated by Mayle et al., US Pat. No. 6,542,936 B1.

3. As to claim 1, Mayle teaches a method for communicating with electronic postcards comprising:

- a) providing a server for processing electronic postcards (Fig. 2);
- b) selecting at least one input site remote from the server (Fig. 2);
- c) establishing a verified communication link between the at least one input site and the server (col. 5, lines 11-18; col. 7, line 60 – col. 8, line 6);
- d) providing a sender input device at the at least one input site for receiving input information from a sender, the request including an addressee e-mail address; e) inputting sender information to the input device (col. 7, lines 49-58; col. 9, lines 14-23; Figs. 14, 17, 3B);
- f) generating an electronic postcard from the sender information (Fig. 3B); and
- g) transmitting the electronic postcard from the at least one input site to the server and from the server to the addressee e-mail address (col. 13, lines 1-21).

4. As to claim 2, Mayle teaches the method including performing said step a) by operating a web site from the server and wherein said step e) includes connecting the at least one input site to the server over the Internet (col. 4, line 61 – col. 5, line 8; col. 5, lines 11-18).

5. As to claim 3, Mayle teaches the method including performing said step b) by selecting a gift shop as said at least one input site (col. 8, lines 1-20).

6. As to claim 4, Mayle teaches the method including providing a form for recording the sender information and performing said step e) utilizing the sender information recorded on the form by the sender (col. 7, lines 49-58; col. 9, lines 14-23).

7. As to claim 5, Mayle teaches the method including performing said step e) by the sender inputting the sender information into the input device (col. 7, lines 49-58; col. 9, lines 14-23).

8. As to claim 6, Mayle teaches the method including performing said step e) by the sender selecting a local scene from a plurality of local scenes stored in one of the at least one input device and the server (col. 8, lines 60-67; Figs. 4 and 9).

9. As to claim 7, Mayle teaches the method including affixing a verified postmark to the electronic postcard, the verified postmark being uniquely associated with the at least one input site (col. 9, lines 34-47).

10. As to claim 8, Mayle teaches a method for communicating with electronic postcards comprising:

a) selecting at least one input site and storing a plurality of images related to the at least one input site (Fig. 2; col. 8, lines 60-67);

b) providing a user input device at the at least one input site for receiving a postcard request from a sender, the request including a selection of at least one of the stored images, a message and an addressee address (col. 7, lines 49-58; col. 8, lines 60-67; col. 9, lines 14-23; Figs. 14, 17, 3B);

e) generating an electronic postcard in response to the user request, the electronic postcard including the at least one stored image and the message (Fig. 3B);

d) affixing a verified postmark to the electronic postcard, the verified postmark being uniquely associated with the at least one input site (col. 9, lines 34-47); and

e) transmitting the electronic postcard to the addressee address (col. 13, lines 1-21).

11. As to claim 9, Mayle teaches the method including performing said step b) by selecting a gift shop as the at least one input site (col. 8, lines 1-20).

12. As to claim 10, Mayle teaches the method including performing said step b) by selecting a location that sells preprinted postcards as the at least one input site (col. 8, lines 1-20).

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13. As to claim 11, Mayle teaches the method wherein the user input device includes one of a printed form and a computerized terminal (col. 8, lines 1-20).

14. As to claim 12, Mayle teaches the method including performing said step e) by transmitting the electronic postcard on the Interact (col. 13, lines 1-21; col. 7, lines 49-58).

15. As to claim 13, Mayle teaches the method including providing the sender with a printed copy of the electronic postcard (print function; Fig. 17).

16. As to claim 14, Mayle teaches an apparatus for generating printed postcards comprising:

a) a server means located at a predetermined location (Fig. 2);

b) at least one input devices located at an input site remote from said server means for receiving from a sender a postcard request including an addressee address and at least one of a sender message and a scene related to a location of said input site (col. 7, lines 49-58; col. 9, lines 14-23; Figs. 14, 17, 3B); and

c) a verified communications connection for selectively connecting said input device to said server means, said input device and said server means being responsive to said postcard request for transmitting an electronic postcard including a verified postmark from said server means to the addressee, said electronic postcard including said at least one of a sender message and a scene related to a location of said input site (col. 5, lines 11-18; col. 7, line 60 – col. 8, line 6; col. 9, lines 34-47).

17. As to claim 15, Mayle teaches the apparatus wherein said input device includes means for inputting said message as a handwritten message of the sender (col. 18, lines 10-29).

18. As to claim 16, Mayle teaches the apparatus wherein said input site is a gift shop (col. 8, lines 1-20).

19. As to claim 17, Mayle teaches the apparatus including a plurality of images of scenes stored on at least one of said server means and said input device and wherein said input device permits selection of said scene related to a location of said input site from said plurality of images (col. 8, lines 60-67).

### ***Conclusion***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul H Kang/  
Primary Examiner  
Art Unit 2144